Docket No.: Brook. 1033 (33964/1120)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicant(s):

10/805,033 Serial No.

To Be Assigned

Examiner:

7946 Cnfrm. No.:

Art Unit: 3764

Filed

March 19, 2004

Gleason et al.

For

r.

METHOD AND APPARATUS FOR

PROVIDING HOT AND COLD MASSAGE

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §§ 1.97-1.98**

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, applicant hereby brings to the attention of the United States Patent and Trademark Office, pursuant to 37 C.F.R. §§ 1.97-1.98, the documents are listed on the attached PTO-1449 form. Pursuant to a waiver by the USPTO, copies of the cited U.S. Patents and published U.S. patent applications are not enclosed.

Pursuant to 37 CFR § 1.97(b)(3), no fee is required. Should it be determined that a fee is required, the Commissioner is authorized to charge any additional fee to Deposit Account No. 14-1138. It is respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned.

Respectfully submitted,

Date: May 19, 2005

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, on the date below.

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Substitute form 1449A/PTO INTERIOR DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

of

 Application Number
 10/805,033

 Filing Date
 March 19, 2004

 First Named Inventor
 Gleason et al.

 Art Unit
 3764

 Examiner Name
 To Be Assigned

 Attorney Docket Number
 Brook. 1033 (33964/1120)

Complete if Known

U.S. PATENT DOCUMENTS								
Examiner Initials	Cite No. ¹	U.S. Patent Document Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
	1	US-2001/0027280	10/04/2001	Huang				
	2	US-2002/0161315	10/31/2002	Harris et al.				
	3	US-2002/0169400 A1	11/14/2002	Huang				
	4	US-2002/0193712	12/19/2002	Huang				
	5	US-2003/0028134	02/06/2003	Lev et al.				
	6	US-2004/0176710	09/09/2004	Kennedy et al.				
	7	US-2005/0010141	01/13/2005	Mordechai et al.				
	8	US-2005/0020947	01/27/2005	Dehli				
	9	US-4,513,735	04/30/1985	Friedson et al.				
	10	US-4,722,326	02/02/1988	Ruderian				
	11	US-4,730,605	03/15/1988	Noble et al.				
	12	US-5,167,225	12/01/1992	Cheng-I				
	13	US-5,501,682	03/26/1996	Edwards-Cofie				
	14	US-5,573,500	11/12/1996	Katsunuma et al.				
	15	US-5,681,266	10/28/1997	Lin				
	16	US-5,716,332	02/10/1998	Noble				
	17	US-5,772,615	06/30/1998	Elder et al.				
	18	US-5,785,668	07/28/1998	Shimizu				
	19	US-5,827,205	10/27/1998	Iwamoto				
	20	US-5,868,688	02/09/1999	Avidor et al.				
	21	US-6,077,238	06/20/2000	Chung				
	22	US-6,165,145	12/26/2000	Noble				
	23	US-6,432,072 B1	08/13/2002	Harris et al.				
	24	US-6,494,849	12/17/2002	Kuo				
	25	US-6,500,135 B2	12/31/2002	Huang				
	26	US-6,602,212	08/05/2003	Ahn				
	27	US-6,730,050 B2	05/04/2004	Huang				
	28	US-6,733,406 B2	05/11/2004	Kitai et al.				
	29	US-6,786,878 B2	09/07/2004	Dehli				
	30	US-6,837,861	01/04/2005	Lin				
	31	US-Des. 299,863	02/14/1989	Noble et al.				
	32	US-Des. 415,838	10/26/1999	Noble				

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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